

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: AVANDIA MARKETING, SALES	:	MDL NO. 1871
PRACTICES AND PRODUCTS	:	07-MD-01871
LIABILITY LITIGATION	:	
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THIS DOCUMENT APPLIES TO:	:	HON. CYNTHIA M. RUGE
RICHARD V. D'APUZZO	:	CIVIL ACTION
<i>on behalf of himself and all others similarly situated</i>	:	
v.	:	
SMITHKLINE BEECHAM CORPORATION	:	
d/b/a GLAXOSMITHKLINE	:	NO. 07-4963

**ORDER**

AND NOW, this 10th day of July 2013, upon consideration of Defendant's Motion to Dismiss [Doc. No. 28] and the response and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED** for the reasons set forth in the accompanying Memorandum Opinion. The Third Amended Complaint is **DISMISSED** with prejudice. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

**BY THE COURT:**



**CYNTHIA M. RUGE**